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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,137	03/29/2001	Tsukasa Kosuda	P5754a	9177

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EPSON RESEARCH AND DEVELOPMENT INC
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EXAMINER

YANCHUS III, PAUL B

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 06/16/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,137

Applicant(s)

KOSUDA ET AL.

Examiner

Paul B Yanchus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 17 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 17 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This non-final office action is in response to elections filed on 5/28/04.

Election/Restrictions

Applicant's election without traverse of claims 1-3, 17 and 22 in Paper No. 8 is acknowledged.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 17 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohno et al., US Patent no. 5,689,430 [Ohno].

Regarding claim 1, Ohno teaches an information processing apparatus comprising:

a first oscillating circuit for generating a first clock signal [3.3V OSCILLATION CIRCUIT in Figure 7], the first oscillating circuit being capable of operating on a power supply voltage equal to or higher than a first lowest operating voltage [3.3V];

a second oscillating circuit for generating a second clock signal [5.0V OSCILLATION CIRCUIT in Figure 7], the second oscillating circuit being capable of

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operating on the power supply voltage equal to or higher than a second lowest operating voltage [5.0V] that is higher than the first lowest operating voltage;

a switching circuit [SELECTOR in Figure 7] that, based on the power supply voltage [5.0V or 3.3V], selects either the first clock signal or the second clock signal to output as a clock signal [column 4, lines 42-45]; and

an information processing unit [MICROCOMPUTER in Figure 4], in synchronism with the clock signal, for performing information processing [selector outputs system clock, column 4, lines 42-45].

Regarding claim 2, Ohno teaches that the switching circuit outputs the first clock signal [3.3V OSCILLATION CIRCUIT output in Figure 4] as the clock signal [CLOCK TO INNER CIRCUIT in Figure 4] when the power supply voltage is equal to or higher than the first lowest operating voltage [3.3V] and lower than the second lowest operating voltage [5.5V] and outputs the second clock signal [5.0V OSCILLATION CIRCUIT output in Figure 4] as the clock signal [CLOCK TO INNER CIRCUIT in Figure 4] when the power supply voltage is equal to or higher than the second lowest operating voltage [5.0V, column 4, lines 42-45].

Regarding claim 3, Ohno teaches a power supply voltage measuring circuit [VOLTAGE DETECTION CIRCUIT in Figure 4] for measuring voltage of the power supply [column 3, lines 37-55].

Regarding claim 17, Ohno, as described above, teaches an apparatus for selecting a clock signal based on a detected power supply voltage. Therefore, Ohno also teaches the method performed by the apparatus.

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Regarding claim 22, Ohno, as described above, teaches an apparatus and method for selecting a clock signal based on a detected power supply voltage. Therefore, Ohno also teaches a program which performs the method.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul B Yanchus whose telephone number is (703) 305-8022. The examiner can normally be reached on Mon-Thurs 8:00-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paul Yanchus
June 10, 2004


THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100